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REMARKS

1. Amendments to the Specification

Applicants have amended the title to be more clearly indicative of the invention to which the claims are directed. Applicants have also updated the current status of U.S. Patent Applications mentioned in the specification.

2. Renumbering of Claims

Applicants apologize for any confusion or additional work caused by the Applicants' accidental submission of two sets of claims (i.e., claims 1-64 and claims 2-18). Applicants have cancelled claims 1-64 included in the original application and have amended the claims submitted in the preliminary amendment filed 12/29/2003 to be appropriately numbered.

3. Claim Amendments

Applicants have reviewed the claims for antecedent basis problems as suggested by the Examiner and made several amendments to address any potential ambiguity. Applicants believe the claims to have proper antecedent basis for each element, but welcome the Examiner's identification of any perceived problems.

Applicants have also amended the recitation of the reassembly performed. This amendment was not done based on prior art or for reasons of patentability, but again, to prevent any remotely possible misinterpretation of what is being claimed.

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4. Rejection of Claims 2-18 (now claims 65-81)

The Examiner rejected claims 2-18 (now 65-81) as anticipated by Engel et al. (6,115,393). Engel describes a network management system that performs a variety of operations on TCP headers such as parsing the header, "loosely" determining the state of a connection based on the header (col. 19, 25-31), and determining whether a TCP segment is received in-order or out-of-order based on the sequence number of the segment header and the headers of previously received segments. Applicants disagree, however, that Engel describes instructions to reassemble a TCP data stream as recited by claim 2 (now 65). Reassembly, as described in the specification (e.g., see pages 176-180 of the application) and as used in the industry, involves presenting the reordered bytes of application data carried by the TCP segment payloads in a connection. Nowhere does Engel describe operations on the TCP segment payloads, let alone reassembling the TCP data stream bytes.

Claim 2 (now 65) and Claim 11 (now 74) both recite similar limitations regarding reassembly. For at least the reason above, Applicants respectfully request withdrawal of the rejection of renumbered claims 65, 74 and their dependent claims.
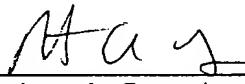
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5. In the event that any additional information is required, please call the undersigned attorney at 978-553-2060.

Respectfully submitted,

Date: _7/25/05_   _____

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July 25, 2005
Date of Deposit

Katherine Jennings
Name of Person Mailing Correspondence

Katherine Jennings   July 26, 2005
Signature   Date